



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,803	09/28/2000	Jiren Yuan	026125-068	8153

7590 03/27/2002

Ronald L Grudziecki
Burns Doane Swecker & Mathis LLP
P O Box 1404
Alexandria, VA 22313-1404

EXAMINER

TON, MY TRANG

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 03/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/672,803

Applicant(s)

YUAN, JIREN

Examiner

My-Trang N. Ton

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-61 is/are pending in the application.
- 4a) Of the above claim(s) 54-57 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36-37, 39, 41, 45, 47-49, 51, 53 and 61 is/are allowed.
- 6) ☒ Claim(s) 32-35, 38, 40, 42-44, 46 and 58-60 is/are rejected.
- 7) ☒ Claim(s) 50 and 52 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election of Group 1, claims 32-53, 58-61 in Paper No. 8 is acknowledged. Claims 54-57 drawn to a non-elected invention should be cancelled.

Claim Rejections - 35 USC § 112

Claims 34, 38, 40, 42-44 and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 34, the limitation "adapted to" recited in line 2 is vague. It has been held that the recitation that an element is "adapted" to perform a function is not positive limitation but only requires the ability to so perform.

Claims 38, 40 are similarly rejected as claim 34.

In claim 42, it is not fully clear as to whether "a first signal input", "a second signal input" recited in lines 16 and 18 is additional to "a first signal input" and "a second signal input" as previously cited in lines 5 and 8. Applicant is required to particularly point out how these limitations of claim 42 read on the circuit arrangement of the drawing.

In claim 44, it is not fully understood which element is considered as "a plurality of charge sampling circuits, each charge sampling circuit having, a control signal generator". Insofar as understood, only one control signal generator has been shown in the drawings. Applicant is required to particularly point out how the limitations of claim 44 read on the circuit arrangement of the drawing.

Art Unit: 2816

Claims 43 and 46 are rendered indefinite by the deficiencies of above claims 42 and 44.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 32-35 and 58-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Krenik et al (U.S Patent No. 5,281,860).

Krenik et al disclose in Fig. 6 a circuit including a control signal generator (43) for controlling an analog input signal to a charge sampling circuit (35-43), an integrator (39) and a sampling switch (37) as recited in claims 32-35. Claims 58-60 are similarly rejected as claims 32-35.

Claims 32, 34-35 and 58-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin et al (U.S Patent No. 6,181,748).

Lin et al disclose in Fig. 1 a circuit including a control signal generator (20, 30) for controlling an analog input signal (D1, D0) to a charge sampling circuit (20-50) and an integrator (40) as recited in claims 32. The limitation recited in claims 34-35 are inherent seen in Fig. 1. The method recited in claims 58-60 are inherent to the operation of the circuit of Lin.

Allowable Subject Matter

Art Unit: 2816

Claims 36-37, 39, 41, 45, 47-49, 51, 53 and 61 are allowable over the prior art of record.

Claims 38 and 40 are allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Claims 50 and 52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Ton whose telephone number is (703) 308-4868. The examiner can normally be reached on Monday to Thursday from 7 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

March 21, 2002



My-Trang Ton
Primary Examiner
Art Unit 2816